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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Lixio Wang

Confirmation No.: 1834

Serial No.: 10/673,528

Art Unit: 3738

Filed: September 29, 2003

Examiner: Jackson, Suzette Jamie

For: STENT WITH SMOOTH ENDS

Attorney Docket No.: 10177-234-999
(CAM: 008563-999231)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of :

- ☐ Each U.S. patent application publication and U.S. and foreign patent;
- ☐ Each publication or that portion which caused it to be listed on the PTO-1449;
- ☐ For each cited pending U.S. application; the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
- ☐ all other information or portion which caused it to be listed on the PTO-1449.

1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.

1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.

2. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);

☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;

- ☐ Before the mailing of the first Office action on the merits;
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

(Check either Item 3a or 3b)

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
☐ enclosed
☒ to be charged to Jones Day Deposit Account No. 50-3013.

(Item 3b to be checked if any reference known for more than 3 months)

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

- ☐ enclosed.
- ☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. ☒ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

(Check appropriate Items 6a, 6b and/or 6c)

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☒ Copies of publications listed on Form PTO-1449 from prior application Serial No. 10/017,004, filed on December 14, 2001, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 7a)
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- (Check Item 8a, 8b, or 8c)
- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 503013.
10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Gidon D. Stern

Date: August 19, 2004

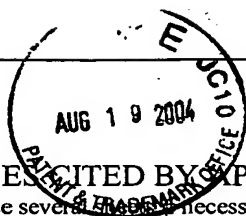
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27,469

Enclosure



LIST OF REFERENCES CITED BY APPLICANT
(Use several TRADEMARKS necessary)

ATTY DOCKET NO.

10177-234

APPLICATION NO

10/673,528

APPLICANT

Lixio Wang

FILING DATE

September 29, 2003

GROUP

3731

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	4,503,569	03/12/1985	Dotter			
	A02	4,512,338	04/23/1985	Balko et al.			
	A03	4,728,328	03/1988	Hughes et al.			
	A04	4,732,152	03/22/1988	Wallsten et al			
	A05	4,733,665	03/29/1988	Palmaz			
	A06	4,848,343	07/18/1989	Wallsten et al.			
	A07	5,019,090	05/28/1991	Pinchuk			
	A08	5,064,435	11/1991	Porter			
	A09	5,213,580	05/25/1993	Slepian et al.			
	A10	5,234,457	08/10/1993	Andersen			
	A11	5,318,531	06/07/1994	Leone			
	A12	5,342,300	08/30/1994	Stefanadis, et al.			
	A13	5,385,935	01/1995	Tamai et al.			
	A14	5,383,892	01/24/95	Cardon et al			
	A15	5,443,500	08/22/1995	Sigwart			
	A16	5,449,373	09/12/1995	Pinchasik et al.			
	A17	5,500,013	03/19/1996	Buscemi et al.			
	A18	5,514,154	05/07/1996	Lau et al.			
	A19	5,540,712	07/30/1996	Kieshinski et al.			
	A20	5,562,922	10/1996	Lambert			
	A21	5,624,411	04/29/1997	Tuch			
	A22	5,628,785	05/13/1997	Schwartz et al.			
	A23	5,658,308	08/19/97	Snyder			
	A24	5,667,523	09/1997	Bynon et al.			
	A25	5,693,085	12/02/1997	Buirge et al.			
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	A28	5,725,572	03/1998	Lam et al.			
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	A30	5,741,333	04/21/1998	Frid			
	A31	5,746,691	05/1998	Frantzen			
	A32	5,749,919	05/12/98	Blanc			
	A33	5,755,769	05/26/98	Richard et al.			
	A34	5,788,626	08/1998	Thompson			
	A35	5,800,520	09/01/98	Fogarty et al.			
	A36	5,807,404	09/15/98	Richter			

A37	5,817,126	10/1998	Imran			
A38	5,824,037	10/1998	Fogarty et al.			
A39	5,824,049	10/1998	Raghd et al.			
A40	6,106,548	08/2000	Roubin et al.			
A41	6,168,619-B1	01/2001	Dinh et al.			
A42	6,254,632-B1	07/2001	Wu et al.			
A43	6,379,379-B1	04/2002	Wang			
A44	6,485,509-B2	11/2002	Killion et al.			
A45	6,488,701-B1	12/2002	Nolting et al.			
A46	6,652,575-B2	11/2003	Wang			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	EP 0 716 836 A1	06/19/1996	EPO				
	B02	EP 0 723 766 A1	07/31/1996	EPO				
	B03	EP 0 740 928 A2	11/06/1996	EPO				

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

C01	TAO PENG et al., "Role of Polymers in Improving the Results of Stenting in Coronary Arteries", Biomaterials 17(7): 685-691 (1996)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.